

Exhibit A

EFiled: May 01 2020 01:22PM
Transaction ID 65612034



IN THE SUPERIOR COURT OF THE STATE OF DELAWARE

ERIC ECHEVARRIA

Plaintiff,

v.

BRIAN WHITTLESEY and HEARTLAND
EXPRESS, INC., Jointly and Severally,

Defendants.

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C.A. No.:

JURY OF TWELVE DEMANDED

PRAECIPE

TO: PROTHONOTARY

PLEASE issue a Writ of Summons for service of the Complaint and Form 30

Interrogatories on the Defendant as follows:

Brian Whittlesey
1987 Mills Road
Waterloo, NY 13164

Heartland Express, Inc.
c/o The Corporation Trust Company
1209 Orange Street
Wilmington, DE 19801

Pursuant to 10 Del. C. §3104

SEITZ, VAN OGHTROP & GREEN, P.A.

/s/ Bernard Van Ogtrop

Bernard Van Ogtrop (447)

222 Delaware Avenue, Suite 1500

P.O. Box 68

Wilmington, DE 19801

(302) 888-7601

Attorney for Plaintiff

IN THE SUPERIOR COURT OF THE STATE OF DELAWARE

EFiled: May 01 2020 01:22PM
Transaction ID 65612034
Case No. 2008-010 CEB



ERIC ECHEVARRIA

Plaintiff,

v.

BRIAN WHITTLESEY and HEARTLAND
EXPRESS, INC., Jointly and Severally,

Defendants.

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C.A. No.:

JURY OF TWELVE DEMANDED

SUMMONS

THE STATE OF DELAWARE
TO: SHERIFF OF NEW CASTLE COUNTY
YOU ARE COMMANDED:

To summon the above-named defendant within 20 days after service hereof upon defendant, exclusive of the day of service, defendant shall serve upon BERNARD A. VAN OGTRUP, ESQUIRE, plaintiff's attorney, whose address is SEITZ, VAN OGTRUP & GREEN, P.A., 222 Delaware Avenue, Wilmington, DE 19899, an answer to the complaint (and, if an affidavit of demand has been filed, an affidavit of defense).

To serve upon defendant a copy hereof and of the complaint (and of the affidavit of demand if any has been filed by plaintiff). Dated:

Chief Deputy Prothonotary
Lisa M. Gonzalez

Per Deputy

TO THE ABOVE-NAMED DEFENDANT:

In case of your failure, within 20 days after service hereof upon you, exclusive of the day of service, to serve on plaintiff's attorney named above an answer to the complaint (and, if an affidavit of demand has been filed, an affidavit of defense), judgment by default will be rendered against you for the relief demanded in the complaint (or in the affidavit of demand, if any).

Chief Deputy Prothonotary
Lisa M. Gonzalez

Per Deputy

EFiled: May 01 2020 01:22PM EDT
 Transaction ID 65612034
 Case No. N20C-05-010 CEB



**SUPERIOR COURT
 CIVIL CASE INFORMATION STATEMENT (CIS)**

COUNTY: N ☒ K ☐ S ☐

CIVIL ACTION NUMBER:

CAPTION ERIC ECHEVARIA v. BRIAN WHITTLESEY AND HEARLAND EXPRESS, INC., JOINTLY AND SEVERALLY	Civil Case Code: CPIA Civil Case Type: PERSONAL INJURY AUTO (SEE REVERSE FOR CODE AND TYPE) Name and Status of Party Filing Document: PLAINTIFFS Document Type: (E.G., COMPLAINT; ANSWER WITH COUNTERCLAIM) COMPLAINT JURY DEMAND: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
ATTORNEY NAME(S): Bernard A. Van Ogtrop, Esq. ATTORNEY ID(S): DE FIRM NAME: SEITZ, VAN OGTROP & GREEN, P.A. ADDRESS: 222 DELAWARE AVENUE, SUITE 1500 P. O. BOX 68 WILMINGTON, DE 19801 TELEPHONE NUMBER: (302) 888-0600 FAX NUMBER: (302) 888-0606 E-MAIL ADDRESS: bvanogtrop@svglaw.com	IDENTIFY ANY RELATED CASES NOW PENDING IN THE SUPERIOR COURT BY CAPTION AND CIVIL ACTION NUMBER, INCLUDING JUDGE'S INITIALS: EXPLAIN THE RELATIONSHIP(S): OTHER UNUSUAL ISSUES THAT AFFECT CASE MANAGEMENT: (IF ADDITIONAL SPACE IS NEEDED, PLEASE ATTACH PAGES)

THE PROTHONOTARY WILL NOT PROCESS THE COMPLAINT, ANSWER OR FIRST RESPONSIVE PLEADING IN THIS MATTER FOR SERVICE UNTIL THE CASE INFORMATION STATEMENT (CIS) IS FILED. THE FAILURE TO FILE THE CIS AND TO HAVE THE PLEADINGS PROCESS FOR SERVICE MAY RESULT IN THE DISMISSAL OF THE COMPLAINT OR MAY RESULT IN THE ANSWER OR FIRST RESPONSIVE PLEADING BEING STRICKEN.

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IN THE SUPERIOR COURT OF THE STATE OF DELAWARE

ERIC ECHEVARRIA

Plaintiff,

v.

BRIAN WHITTLESEY and HEARTLAND
EXPRESS, INC., Jointly and Severally,

Defendants.

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COMPLAINT

1. Plaintiff is a citizen of the state of New Jersey.
2. Upon information and belief, Defendant Brian Whittlesey is a citizen of the state of New York residing at 1987 Mills Road, Waterloo, New York 13165.
3. Upon information and belief, Defendant Heartland Express, Inc. ("Heartland Express") is a business with a principal place of business at 901 N. Kansas Avenue, North Liberty, Iowa 52317.
4. On January 9, 2020, Defendant Brian Whittlesey was employed by Defendant Heartland Express and was operating a vehicle owned by Heartland Express at the time of the collision.
5. On January 9, 2020, Plaintiff Echevarria was injured when the vehicle he was occupying was struck by one driven by Defendant Brian Whittlesey.
6. The collision referred to in the preceding paragraph was caused by the negligence of the Defendant Brian Whittlesey, which negligence is imputed to his employer Heartland Express, in that he:

- a. Failed to maintain a proper lookout;
- b. Failed to maintain control of the vehicle he was operating;
- c. Operated his motor vehicle on a public highway and failed to give full time and attention to the operation of said motor vehicle in violation of 21 Del. C. §4176(b);
- d. Operated his motor vehicle on a public highway in a careless and imprudent manner and without due regard for road and traffic conditions then existing in violation of 21 Del. C. §4176(a);
- e. Made a left-hand turn within an intersection without yielding the right of way in violation of 21 Del. C. §4132; and
- f. Made a left-hand turn on a red light in violation of 21 Del. C. §4108.

7. As a direct and proximate result of the negligence of Defendant Brian Whittlesey, which negligence is imputed to his employer, Heartland Express, Plaintiff Eric Echevarria:

- a. Suffered personal injuries some or all of which may be permanent in nature;
- b. Has suffered and will continue to suffer great pain of body and mind;
- c. Has limitation of physical activity which may be permanent in nature;
- d. Has incurred medical expenses and will continue incurring them in the future; and
- e. Suffered a loss of income.

WHEREFORE, Plaintiff demands judgment against Defendant, in an amount sufficient to compensate him for his injuries, together with interest and costs.

SEITZ, VAN OGHTROP & GREEN, P.A.

/s/ Bernard Van Ogtrop

Bernard Van Ogtrop, Esquire (DE 447)
222 Delaware Avenue, Suite 1500
P.O. Box 68
Wilmington, DE 19899
(302) 888-7601
Attorneys for Plaintiffs

Date: May 1, 2020

IN THE SUPERIOR COURT OF THE STATE OF DELAWARE

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PLAINTIFF'S ANSWERS TO FORM 30 INTERROGATORIES

1. Give the name and present or last known residential and employment address and telephone number of each eyewitness to the incident which is the subject of this litigation.

ANSWER: Please see police report.

2. Give the name and present or last known residential and employment address and telephone number of each person who has knowledge of the facts relating to this litigation.

ANSWER: Please see police report.

3. Give the names of all persons who have been interviewed in connection with the above litigation, including the names and present or last known residential and employment address and telephone numbers of the persons who made said interviews and the names and present or last known residential and employment addresses and telephone numbers of persons who have the original and copies of the interview.

ANSWER: Stephanie Arriviello, 610-999-1600.

4. Identify all photographs, diagrams or other representations made in connection with the matter in litigation, giving the name and present or last known residential and employment address and telephone number of the person having the original and copies thereof.

ANSWER: Photographs will be provided.

5. Give the name, professional address, and telephone number of all expert witnesses presently retained by the party together with the dates of any written opinions prepared by said expert. If an expert is not presently retained, describe by type the experts whom the party expects to retain in connection with the litigation.

ANSWER: None at this time.

6. Give a brief description of any insurance policy, including excess coverage, that is or may be applicable to the litigation, including:

- (a) The name and address of all companies insuring the risk;
- (b) The policy number(s);
- (c) The type of insurance;
- (d) The amounts of primary, secondary, and excess coverage.

ANSWER: This information will be provided.

7. Give the name, professional address, and telephone number of all physicians, chiropractors, psychologists, and physical therapists who have examined or

treated you at any time during the ten-year period immediately prior to the date of the incident at issue in this litigation.

ANSWER: This information will be provided.

SEITZ, VAN OGTROP & GREEN, P.A.

/s/ Bernard Van Ogtrop
Bernard Van Ogtrop, Esquire (DE 447)
222 Delaware Avenue, Suite 1500
P.O. Box 68
Wilmington, DE 19899
(302) 888-0601

Sworn to and Subscribed before me this 1st day of May 2020.

/s/ R. Karl Hill
Attorney at Law
Notary Public, State of Delaware
My Commission Has No Expiration Date
29 Del. C. § 4323(a)(3)